

(a) Upon request and within available resources, provide qualified inactive duty reservists to serve as members of the NDRB.

(b) Upon request, provide appropriate accommodations to the NDRB Traveling Panels for purposes of conducting reviews at Naval and Marine Corps Reserve Centers and aviation facilities.

### **Subpart D—Principal Elements of the Navy Department Discharge Review System**

#### **§ 724.401 Applicants.**

As defined in § 724.114.

#### **§ 724.402 Naval Discharge Review Board.**

As defined in § 724.102.

#### **§ 724.403 President, Naval Discharge Review Board.**

Supervises the Naval Discharge Review Board. (See subpart C).

#### **§ 724.404 Director, Naval Council of Personnel Boards.**

Exercises administrative control and oversight of the Naval discharge review process. (See subpart C).

#### **§ 724.405 Commandant of the Marine Corps or the Commander, Naval Military Personnel Command.**

Personnel managers of the Marine Corps and the Navy; responsible for providing limited support to the Naval Discharge Review Board and for implementation of departmental discharge review decisions. (See subpart C).

#### **§ 724.406 Commander, Naval Medical Command.**

Custodian of Navy and Marine Corps health records. (See subpart C).

#### **§ 724.407 Commander, Naval Reserve Force.**

Manages Naval Reserve resources. Responsible for providing limited support to the Naval Discharge Review Board. (See subpart C).

#### **§ 724.408 Secretary of the Navy.**

The final authority within the Department of the Navy in discharge review.

### **Subpart E—Procedural Rights of the Applicant and Administrative Actions Preliminary to Discharge Review**

#### **§ 724.501 Procedural rights of the applicant.**

Each applicant has the following procedural rights:

(a) Within 15 years after the date of discharge, to make a written request for review of the applicant's discharge if the discharge was other than the result of a general court-martial. The request may include such other statements, affidavits, or documentation as desired.

(b) To have that review conducted by the NDRB either in the NCR or other designated location, when a personal appearance discharge review is desired.

(c) To appear before the NDRB in person, with or without counsel/representative; with counsel/representative concurrence, to have counsel/representative present the applicant's case in the absence of the applicant; or to have the review conducted based on records and any additional documentation submitted by the applicant or counsel/representative.

(d) To request copies of any documents or other evidence to be considered by the NDRB in the review of the applicant's discharge or dismissal other than the documents or evidence contained in the official record or submitted by the applicant prior to the conduct of the formal review and to be afforded an opportunity to examine such other documents or evidence or to be provided with copies of them.

(e) To withdraw the request for discharge review without prejudice at any time prior to the scheduled review, except that failure to appear for a scheduled hearing shall not be construed or accepted as a withdrawal.

(f) To request a continuance of the review when the continuance is of a reasonable duration and essential to achieving a full and fair hearing. The request must indicate the reason why the continuance is required.

(g) To request postponement of the discharge review for good and sufficient reason set forth in a timely manner.